

REMARKS

The Office Action of June 14, 2005 has been received and its contents carefully considered.

The present Amendment cancels eight dependent claims, and corrects informalities in another two dependent claims that were noted during review of the application. The eight claims that have been cancelled are the ones that are rejected in section 3 of the Office Action, so this rejection should be withdrawn.

The present application discloses several embodiments of a receiver having a reproduction mode and an evaluation mode. In the arrangement shown in Figure 1 of the application's drawings, for example, a mode selector 16 passes a demodulated digital signal 140 to elements 20 and 22 in the reproduction mode. In the evaluation mode, the mode selector 16 routes the signal 140 to an error generator 18, which inverts the signal at a predetermined timing (see Figure 2 of the application's drawings) to generate error data. This permits signals output by an adaptive differential pulse code modulation (ADPCM) codec 24 to be evaluated.

Section 5 of the Office Action rejects independent claim 1 (along with a number of dependent claims) for obviousness on the basis of a U.S. patent to Shinozaki et al and a published U.S. application by Hori et al. These references will hereafter be called simply "Shinozaki" and "Hori." For the reasons discussed below, it is respectfully submitted that the invention defined by claim 1 is patentable over these references.

Claim 1 recites "a mode selector for selecting either of a reproduction mode of reproducing the digital signals and an evaluation mode of evaluating the digital signals." Section 5 of the Office Action takes the position that such a mode selector is found in

Shinozaki, and draws attention to selection 164 in Shinozaki's Figure 6 and to the paragraph at column 6 of the reference, lines 4-18. However, it is respectfully submitted that an ordinarily skilled person who read the cited paragraph at Shinozaki's column 6 would conclude that Shinozaki uses his selector 164 to select either an audio signal or a data signal. Nothing in the reference would have suggested selecting either a reproduction mode or an evaluation mode, in accordance with claim 1.

Claim 1 also recites "an error generator for inverting a level of the digital signals for the evaluation mode at a predetermined timing to generate error data." Section 5 of the Office Action acknowledges that the Shinozaki reference fails to disclose an error generator that inverts a digital signal. However, the Office Action draws attention to Hori's Figure 2, and paragraph [0052]. The Office Action takes the position that it would have been obvious to implement the teaching of Hori into Shinozaki so as to distinguish between two types of modes. Applicant respectfully disagrees.

Hori's objective is to provide an address decoder for decoding a "wobble" signal. Hori's address decoder comprises a biphase decoder 107 that is shown in Figure 2 of the reference and discussed in the paragraph cited in the Office Action.

It is respectfully submitted that an ordinarily skilled person who had read the Hori reference would conclude that Hori's biphase decoder 107 only generates a biphase error signal indicating the presence or absence of a biphase error upon decoding. Even assuming for sake of argument that the selector 164 in the Shinozaki reference selects either a reproduction mode or an evaluation mode (as was noted above, Shinozaki's selector 164 actually selects an audio signal or a data signal), there is no apparent reason

why an ordinarily skilled person would think it would be beneficial to use Hori's biphasic decoder 107 to invert digital signals for an evaluation mode in accordance with claim 1.

In addition, claim 1 provides that the error generator inverts the digital signals for the evaluation mode "to generate error data." As a result, the error correcting capability of the receiver apparatus can be quantitatively measured. Hori's address decoder appears to be used in an arrangement for tracking an optical disk, in which case error data can be used to minimize deviations from a desired track. However, the reference would provide no reason why an ordinarily skilled person might want to generate error data in a receiver apparatus, as recited in claim 1.

Accordingly, it is respectfully submitted that the invention defined by claim 1 is not rendered obvious by the Shinozaki and Hori references.

Since the remaining claims depend from claim 1 and recite additional limitations to further define the invention, they are patentable along with claim 1 and need not be further discussed.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



Allen Wood
Registration No. 28,134
Customer No. 23995
(202) 326-0222
(202) 408-0924 (facsimile)
(202) 408-5297 (facsimile)

AW:rw